



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2205961  
**Applicant Name:** Greg Brant  
**Address of Proposal:** 4536 41<sup>st</sup> Ave SW

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into four unit lots. Proposed unit lot parcel sizes are: A) 2,421.7, square feet; B) 1,218.7 square feet; C) 885.6 square feet; and D) 1,717.6 square feet. Construction of one triplex structure under Application No. 2202964.

The following approval is required:

**Short Subdivision** - To subdivide one existing parcel into four unit lots.  
(Chapter 23.24, Seattle Municipal Code)

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or  
involving another agency with jurisdiction

**BACKGROUND DATA**

**Site Description and Area Development**

The subject property is located at 4536 41<sup>st</sup> Avenue SW in the West Seattle neighborhood of Seattle. The site measures approximately 5,743.5 square feet and is zoned Multi-family Residential Lowrise 2 (L2). The lot has approximately 50 feet of street frontage along 41<sup>st</sup>

Avenue SW and a depth of approximately 114.87. At this location, 41<sup>st</sup> Avenue SW is paved with curbs, gutters and sidewalks and street trees in the planting strip.

The surrounding neighborhood is comprised of both a mixture of development and zoning. A block to the north the area is zoned and development with single family structures. South of the project site the zoning and development changes from residential to neighborhood commercial (NC3-65). West of the project site the zoning and development is L3 and many of the lots have been recently subdivided and redeveloped with town homes.

### Proposal Description

The applicant proposes to short subdivide one parcel into four unit lots. Proposed unit lot parcel sizes are: A) 2,421.7, square feet; B) 1,218.7 square feet; C) 885.6 square feet; and D) 1,717.6 square feet. Vehicular access to the site will be from an existing alley. The applicants are proposing to provide four surface parking spaces.

### Public Comment

During the comment period, which ended on October 9th, 2003, one written comment letter was received. The letter raised a number of concerns dealing with the negative effects the proposed high density development would cause. Specifically the citizen felt the proposal would result in few on street parking spaces for existing residents, higher crime, increased property values, and increased traffic.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.40, no short subdivision shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designated to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Based on information proposed by the applicant, referral comments from DCLU, Seattle Public Utilities, Seattle Fire Department, Drainage, Seattle City Light, and review by the development analyst, the following findings are made with respect to the above-cited criteria:

1. The underlying construction permit for a detached triplex building (to be built behind the existing single-family structure) has been approved under Project #2202964. This related application was reviewed to meet all applicable provisions of the Land Use Code including density, lot coverage, setbacks, open space, parking, and access.

The proposed unit lot subdivision would allow separate ownership of the land associated with each of the single-family residences. This purpose is consistent with the provisions of SMC 23.24.045, Unit lot subdivisions.

2. All unit lot parcels will have direct vehicular access from an existing improved alley. The Seattle Fire Department has no objections to the proposed subdivision. Seattle City Light has approved the proposal and requested an Overhead/ Underground Easement.
3. The proposed unit lots can connect to a public combined sewer (PS) located in 41<sup>st</sup> Avenue SW. Seattle Public Utilities approved this proposal under WAC # 02-1012.
4. The Seattle Municipal Code seeks to preserve and maintain the physical character of single family residential areas in ways that both encourage and nurture housing opportunities for all the cities residents. The proposed short subdivision will meet all minimum Land Use Code provisions and will have adequate access for vehicles, utilities and fire protection. The project will be conditioned to provide for the proper display of addresses for the unit lot that does not have street frontage. In addition, the site also provides adequate drainage and sanitary sewer disposal. Therefore, the public use and interests are served by permitting the proposed subdivision.
5. The site is not located within an environmentally critical area as defined in SMC 25.09.
6. The subject site currently has four trees on it. The applicant has proposed the addition of four trees and the preservation of one 22" deciduous tree currently located in the front setback of the existing home to the meet the tree planting/preservation standards of the Land Use Code. Thus, the tree preservation/planting condition is satisfied.
7. This section of the Land Use Code provides that lots for townhouses may be created, which do not individually meet the requirements for lot size, setbacks, density and structure width and depth. The proposed development complies with the provisions of Section 23.24.045.

## **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

## **CONDITIONS - SHORT SUBDIVISION**

### *Conditions of Approval Prior to Recording*

The owner(s) and responsible party(s) shall:

1. Add the complete City light Easement language to the face of the plat.
2. Provide an easement, covenant or other agreement which provide for the posting of Unit lot B, C and D's address from a location that is visible from 41<sup>st</sup> Ave SW.
3. Provide a note on the final plate which states; A unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the director of king County Department of Records and Elections.
4. Provide final recording forms and fees.
5. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The location of all utilities shall be shown on the face to the plat. The short plat drawings shall be stamped by a licensed surveyor.

Signature: (signature on file) Date: May 26, 2003  
Glenda Warmoth, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services